



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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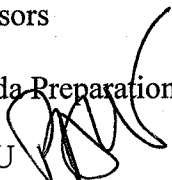
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JOHN F. KRATTLI  
Acting County Counsel

May 31, 2012

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU   
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Maria Hylla & David Hylla v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 452 399**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan which are to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Maria Hylla & David Hylla v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 452 399, in the amount of \$750,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This wrongful death lawsuit arises from a vehicle accident involving an employee of the Sheriff's Department.

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Maria Hylla & David Hylla v. County of Los Angeles, et al.
CASE NUMBER	BC452399
COURT	Los Angeles Superior Court
DATE FILED	January 4, 2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 750,000
ATTORNEY FOR PLAINTIFF	Andrew L. Shapiro, Esq.
COUNTY COUNSEL ATTORNEY	Brian Stewart, Esq.  Brian T. Chu, Principal Deputy County Counsel
NATURE OF CASE	David and Maria Hylla filed this lawsuit involving an automobile accident that occurred on May 3, 2010, at approximately 2:20 a.m. which caused the death of their daughter, Lisa Hylla, age 25. Ms. Hylla was driving a compact vehicle, northbound on the Interstate-405 Freeway approaching the Devonshire Street exit. Ms. Hylla rear-ended a pickup truck, causing it to spin and come to rest between the number five and six traffic lanes. Ms. Hylla's disabled vehicle came to rest in the number one lane. Ms. Hylla exited her vehicle and

was standing or walking north of her vehicle. A minute later, a Sheriff's Deputy in a marked Sheriff's patrol unit, also traveling northbound in the number one lane, was momentarily distracted by the debris in the roadway and the pickup truck. The Deputy saw Ms. Hylla's vehicle ahead, but he was unable to take evasive action before colliding into the vehicle. The collision caused Ms. Hylla's vehicle to collide into her and cause fatal injuries.

The Hylla's filed suit, alleging that the Deputy negligently operated the patrol unit. The County denies that the accident was caused by the Deputy's negligence and contends that Ms. Hylla was comparatively negligent.

Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$750,000 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	44,872
PAID COSTS, TO DATE	\$	8,061

Case Name: Maria Hylla and David Hylla v. County of Los Angeles



## ***Summary Corrective Action Plan***

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Monday, May 3, 2010; approximately 2:20 a.m.
Briefly provide a description of the incident/event:	<p><b><u>Maria Hylla and David Hylla v. County of Los Angeles</u></b> Summary Corrective Action Plan No. 2012-002</p> <p>On Monday, May 3, 2010, at approximately 2:20 a.m., a Los Angeles County deputy sheriff was driving a standard, black and white County-owned patrol vehicle north on Interstate 405 (San Diego Freeway), south of Devonshire Street, Los Angeles, when the vehicle he was driving collided with a stationary vehicle, darkened and disabled by a previous traffic collision. As a result of the second collision, the plaintiff's daughter was killed.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

This incident was thoroughly investigated by representatives of the Los Angeles County Sheriff's Department and the California Highway Patrol (CHP). Their investigations concluded that the deputy sheriff caused the second traffic collision by violating California Vehicle Code section 22349 (a), Maximum Speed Limit.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

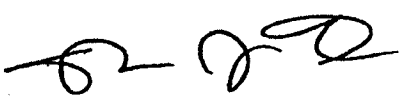
County of Los Angeles  
Summary Corrective Action Plan

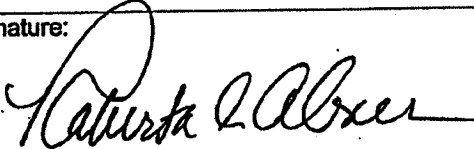
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3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

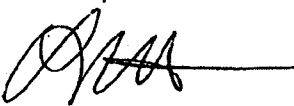
- ☐ Potentially has Countywide Implications.
- ☒ Potentially has an Implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☐ Does not appear to have Countywide or other department(s) Implications.

**Los Angeles County Sheriff's Department**

Name: (Risk Management Coordinator)  Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 4/2/12

Name: (Department Head)  Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 04/02/12

**Chief Executive Office Risk Management Branch**

Name:  LEO COSTANTINO	
Signature: 	Date: 4/17/2012

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